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Attorneys for Plaintiffs,

SUSAN JOHNSON and CHRISTI MCCRACKEN

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SUSAN JOHNSON and CHRISTI
MCCRACKEN, individuals,

Plaintiffs,

vs.

GIGSMART, INC., a Delaware corporation,

Defendant.

Case No. 3:24-cv-02233-TLT

**NOTICE OF DISMISSAL OF ENTIRE
ACTION WITHOUT PREJUDICE**

District Judge: Hon. Trina L. Thompson

Complaint Filed: April 15, 2024
Trial Date: Not Set

1 Plaintiffs requests a dismissal of this action without prejudice.

2 Plaintiffs filed this matter to enjoin out of state arbitration proceedings filed against them
 3 during the pendency of their earlier-filed state court action against Defendants. *See* Complaint,
 4 ECF No. 1. In opposing Plaintiff Christi McCracken’s Ex Parte Motion for Temporary Restraining
 5 Order, Defendant agreed it “will take no action to pursue arbitration in the absence of a court
 6 order.” ECF No. 15 at p. 2; and ECF No. 15-1 at p. 2 (reflecting same). In light of the pause on the
 7 arbitrations until a court order is obtained, Plaintiffs no longer need relief in this action and wish
 8 to dismiss it without prejudice.

9 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs may dismiss an action
 10 without court order by filing a notice of dismissal before the opposing party serves an answer or a
 11 motion for summary judgment.

12 Defendant has no answered or filed a motion for summary judgment making dismissal
 13 appropriate here under Rule 41(a)(1)(A)(i) and Civil L.R. 77-2(c).

14 Respectfully submitted:

15 DATED: April 26, 2024

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